



# GENERAL ASSEMBLY COMMONWEALTH OF KENTUCKY

## 2005 REGULAR SESSION

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SENATE BILL NO. 124

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MONDAY, FEBRUARY 14, 2005

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The following bill was reported to the House from the Senate and ordered to be printed.

RECEIVED AND FILED  
DATE March 11, 2005  
1:19 pm  
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TREY GRAYSON  
SECRETARY OF STATE  
COMMONWEALTH OF KENTUCKY  
BY Garthie Adkins

AN ACT relating to the Board of Trustees of the University of Kentucky.

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

1       Section 1. KRS 164.131 is amended to read as follows:

2       (1)   (a)   The government of the University of Kentucky is vested in a board of trustees  
3               appointed for a term set by law pursuant to Section 23 of the Constitution of  
4               Kentucky.

5       (b)   All persons appointed after May 30, 1997, shall be required to attend and  
6               complete an orientation program prescribed by the council under KRS  
7               164.020, as a condition of their service.

8       (c)   The board shall periodically evaluate the institution's progress in  
9               implementing its missions, goals, and objectives to conform to the strategic  
10              agenda. Officers and officials shall be held accountable for the status of the  
11              institution's progress.

12      (d)   Board members may be removed by the Governor for cause, which shall  
13              include neglect of duty or malfeasance in office, after being afforded a hearing  
14              with counsel before the council and a finding of fact by the council.

15      (e)   The board shall consist of sixteen (16) members appointed by the Governor,  
16              two (2) members of the faculty of the University of Kentucky, one (1) member  
17              of the University of Kentucky nonteaching personnel, and one (1) member of  
18              the student body of the University of Kentucky. The voting members of the  
19              board shall select a chairperson annually.

20      (2)   (a)   The terms of the appointed members shall be for six (6) years and until their  
21              successors are appointed and qualified; except the initial appointments shall  
22              be as follows:

23              1.   Two (2) members shall serve one (1) year terms;

24              2.   Two (2) members shall serve two (2) year terms, one (1) of whom shall  
25              be a graduate of the university, selected from a list of three (3) names

1 submitted by the alumni of the university according to rules established  
2 by the board of trustees;

3 3. Three (3) members shall serve three (3) year terms;

4 4. Three (3) members shall serve four (4) year terms, one (1) of whom  
5 shall be a graduate of the university, selected as under subparagraph 2.  
6 of this subsection;

7 5. Three (3) members shall serve five (5) year terms; and

8 6. Three (3) members shall serve six (6) year terms, one (1) of whom shall  
9 be a graduate of the university, selected as under subparagraph 2. of this  
10 subsection.

11 (b) 1. Three (3) of the appointments shall be graduates of the university and  
12 may include one (1) graduate of the institution who resides outside the  
13 Commonwealth;

14 2. Three (3) shall be representative of agricultural interests; and

15 3. Ten (10) shall be other distinguished citizens representative of the  
16 learned professions and may include one (1) who resides outside of  
17 Kentucky.

18 (c) The Governor shall make the appointments so as to reflect proportional  
19 representation of the two (2) leading political parties of the Commonwealth  
20 based on the state's voter registration and to reflect no less than proportional  
21 representation of the minority racial composition of the Commonwealth.

22 (d) Appointments to fill vacancies shall be made for the unexpired term in the  
23 same manner as provided for the original appointments.

24 (3) The two (2) University of Kentucky faculty members shall be of the rank of  
25 assistant professor or above. They shall be elected by secret ballot by all University  
26 of Kentucky faculty members of the rank of assistant professor or above. Faculty  
27 members shall serve for terms of three (3) years and until their successors are

1 elected and qualified. Faculty members shall be eligible for reelection, but they shall  
2 be ineligible to continue to serve as members of the board of trustees if they cease  
3 to be members of the faculty of the university. Elections to fill vacancies shall be for  
4 the unexpired term in the same manner as provided for original elections.

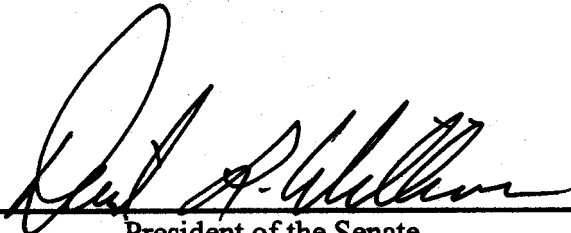
5 (4) The nonteaching personnel member shall be any full-time staff member, excluding  
6 the president, vice-presidents, academic deans, and academic department  
7 chairpersons. The staff member shall represent all nonteaching university  
8 employees including, but not limited to, building facilities and clerical personnel.  
9 The staff member shall be elected by secret ballot by the nonteaching employees.  
10 The staff member shall serve a term of three (3) years and until a successor is  
11 elected and qualified. The staff member shall be eligible for reelection, but a staff  
12 member who ceases being an employee of the university shall not be eligible to  
13 continue to serve as a member of the board. Elections to fill vacancies shall be for  
14 the unexpired term and shall be held in the same manner as provided for the original  
15 election.

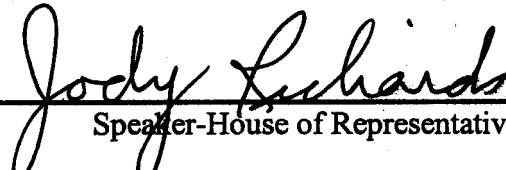
16 (5) The student member shall be the president of the student body of the university  
17 during the appropriate academic year and may be an out-of-state resident if  
18 applicable. If the student member does not maintain his position as student body  
19 president or his status as a full-time student at any time during that academic year, a  
20 special election shall be held to select a full-time student. The student member shall  
21 serve for a term of one (1) year beginning with the first meeting of the fiscal year  
22 which contains that academic year.

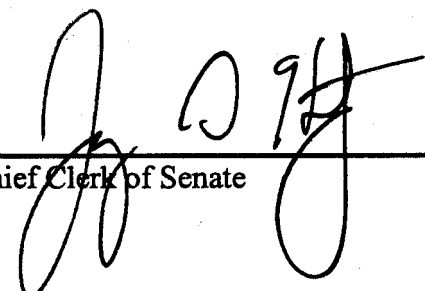
23 (6) The number of student and employee trustees of the University of Kentucky elected  
24 to the board shall not exceed four (4).

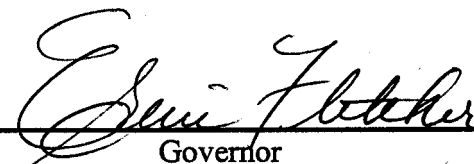
25 (7) No member of the administrative staff of the university shall be directly or  
26 indirectly interested in any contract with the university for the sale of property,  
27 materials, supplies, equipment, or services, with exception of compensation to the


- 1 . two (2) faculty members, and the one (1) nonteaching personnel member.
- 2 (8) New appointees of the board shall not serve more than two (2) consecutive terms.
- 3 Board members serving as of May 30, 1997, may be reappointed at the end of their
- 4 existing terms and may serve two (2) additional full consecutive terms.

  
\_\_\_\_\_  
President of the Senate

  
\_\_\_\_\_  
Speaker-House of Representatives

Attest:   
\_\_\_\_\_  
Chief Clerk of Senate

Approved   
\_\_\_\_\_  
Governor

Date   
\_\_\_\_\_  
March 11, 2005